

Senate File 149 - Introduced

SENATE FILE _____
BY DEARDEN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring certain children to wear personal flotation
2 devices while on board certain vessels operated on state
3 waters and providing for a penalty and an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2220SS 82
6 av/je/5

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1 1 Section 1. Section 462A.12, Code 2007, is amended by
1 2 adding the following new subsection:
1 3 NEW SUBSECTION. 14. A person shall not operate a vessel
1 4 on the waters of this state under the jurisdiction of the
1 5 commission unless every person on board the vessel who is
1 6 under thirteen years of age is wearing a type I, II, III, or V
1 7 personal flotation device, including "float coats" that meet
1 8 this definition, that is approved by the United States coast
1 9 guard, while the vessel is under way. This subsection does
1 10 not apply when the person under thirteen years of age is in an
1 11 enclosed cabin or below deck, or is a passenger on a
1 12 commercial vessel with a passenger capacity of twenty-five
1 13 persons or more.
1 14 Sec. 2. WARNING CITATIONS == TWELVE-MONTH PERIOD. During
1 15 the twelve-month period beginning on the effective date of
1 16 this Act, peace officers shall issue only warning citations
1 17 for violations of this Act.
1 18 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
1 19 immediate importance, takes effect upon enactment.
1 20 EXPLANATION
1 21 This bill adds a new provision to Code section 462A.12
1 22 concerning prohibited operations of certain vessels. The bill
1 23 provides that a person shall not operate a vessel on the
1 24 waters of this state under the jurisdiction of the natural
1 25 resource commission unless every person on board who is under
1 26 13 years of age is wearing a type I, II, III, or V personal
1 27 flotation device, including "float coats" that meet this
1 28 definition, that is approved by the United States coast guard,
1 29 while the vessel is under way. The new provision does not
1 30 apply when the person under 13 years of age is in an enclosed
1 31 cabin or below deck, or is a passenger on a commercial vessel
1 32 with a passenger capacity of 25 persons or more.
1 33 For a violation of this provision, there is a scheduled
1 34 fine of \$25, pursuant to Code section 805.8B, subsection 1,
1 35 paragraph "c". However, the bill provides that during the 12=
2 1 month period after enactment, violators of the bill shall
2 2 receive only warning citations.
2 3 The bill is effective upon enactment.
2 4 LSB 2220SS 82
2 5 av:nh/je/5